



**Amendments to the Town of Bluffton Code of Ordinances,
Chapter 23 – Unified Development Ordinance, Article 5 – Design
Standards, Sec. 5.10 (Stormwater); and Article 9 – Definitions
and Interpretation, Sec. 9.2 (Defined Terms)**

Presentation to May River Watershed Action Plan Advisory Committee
April 23, 2026
Andrea Moreno, Watershed Division Manager
Department of Projects and Watershed Resilience

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Request

Staff requests that the May River Watershed Action Plan Advisory Committee (WAPAC) recommend approval to Town Council of a Proposed Ordinance to amend the Town of Bluffton’s Municipal Code of Ordinances, Chapter 23 – Unified Development Ordinance,

- Article 5 – Design Standards, Sec. 5.10 (Stormwater); and
- Article 9 – Definitions and Interpretation, Sec. 9.2 (Defined Terms).

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Background

In January of 2025, Town Council approved a Master Service Agreement (MSA) task authorization to McCormick Taylor, Inc. to develop Town Wetland and Resilience Ordinances to protect health, life, and safety of our citizens and natural resources.

Specific to wetland protections, this included the following:

1. Review current Town policies;
2. Identify and inventory wetlands within the Town's jurisdiction;
3. Develop a map of wetlands to be protected; and
4. Develop a Wetland Ordinance for the Town.

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Background

Concurrent, yet independent from the MSA work, Town Council adopted a wetland protection ordinance in June of 2025 that accomplished the following:

- Required a 50 ft. undisturbed buffer around the perimeter of all wetlands;
- Allowed for enforcement of unpermitted filling of wetlands;
- Filled gaps left by loosened federal rules after the U.S. Supreme Court's Sackett v. Environmental Protection Agency decision; and
- Made Bluffton the first municipality in South Carolina to enact such laws in response to federal changes.

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Background

Current wetland ordinance was adopted as an interim wetland ordinance to be later superseded by a comprehensive wetland ordinance, incorporating:

- The Consultant's recommendations; and
- Reliance upon a new, Town-owned, wetland mapping tool.

Accurate information and data on wetlands allows the Town to focus its protection efforts and inform future development, projects, policies, programs, and partnerships.

- Currently relying on the National Wetland Inventory (NWI), which was last updated based on 2006 and 2011 imagery and does not often indicate the presence of smaller, isolated wetlands.

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Overview of Amendments

Sec. 5.10 (Stormwater): Revisions to include:

1. Corrections of scrivener's errors and good housekeeping edits;
2. Inclusion of enhanced resilience-related language under purpose and intent of Stormwater section;
3. Addition of clarifying language regarding authority of UDO Administrator; and
4. Clarification of exemptions and exceptions to the Wetland Ordinance.
 - Inclusion of a reference to a Town wetland map to aid applicants in wetland and wetland buffer identification.
 - Elaboration of US Army Corps of Engineers (USACE) exception.
 - Inclusion of a list of allowed activities within wetlands themselves.
 - Inclusion of assurances for the protection of wetlands/wetland buffers.

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Overview of Amendments



Sec. 9.2 (Defined Terms): Revisions to include:

1. Addition of definitions of “heavy machinery” and “wetland buffer”; and
2. Revise current definition of “wetland delineation.”

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Proposed Changes



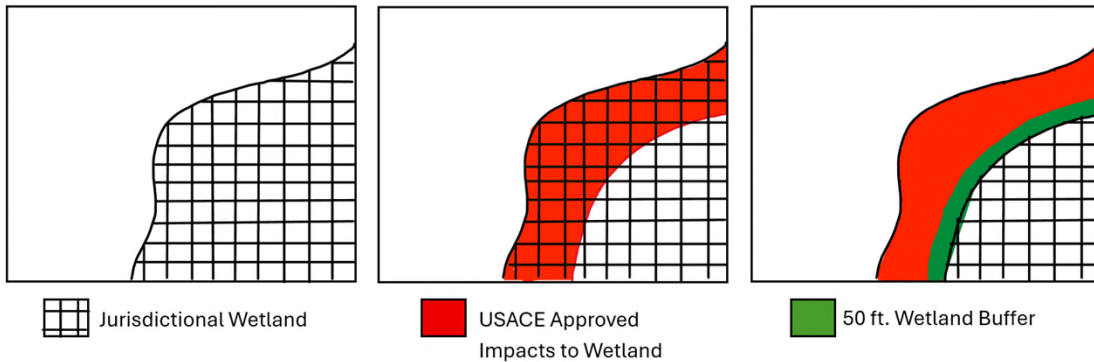
- Addition of clarifying language regarding authority of UDO Administrator.
 - Discretion of UDO Administrator to exempt activities from the Wetland Ordinance or require additional measures prior to allowing an exception must utilize Town policies and guidelines and be documented in writing.

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Proposed Changes (Cont.)

- Revisions to exemptions and exceptions:
 - US Army Corps of Engineers (USACE) permits to impact jurisdictional wetlands require an accompanying jurisdictional determination.
 - Town's 50 ft. wetland buffer still applies after impact completed.



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Proposed Changes (Cont.)

- Revisions to exemptions and exceptions (cont.):
 - Prohibition of motorized vehicles along multi-purpose pathways in wetlands and wetland buffers, with the exception of ADA-compliant motorized wheelchairs, or vehicles used for a public purpose, including but not limited to, safety, maintenance or repair of publicly owned facilities or other infrastructure.
 - Clarification that certain exempted activities are permitted so long as they are conducted without the use of "heavy machinery".

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Proposed Changes (Cont.)

- Revisions to exemptions and exceptions (cont.):
 - Inclusion of allowed activities within a wetland, itself, including, but not limited to, construction and maintenance of public boardwalks, multi-use pathways, and water-dependent development such as docks, boat ramps, etc.

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Proposed Changes (Cont.)

- Inclusion of Assurances of Protection:
 - To guarantee future wetland protections, assurances for the protection of wetlands will be provided by the applicant as part of the application/certification process.
 - Permit restrictions – by executing a Permit Restriction Form, no applicant can submit for wetland impacts to the wetlands shown on the recorded survey for a period of five (5) years
 - Wetlands and wetland buffers must be platted and recorded, along with a description of the restrictions.

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Proposed Changes (Cont.)

- Revisions and additions to definitions:
 - *Heavy Machinery* – clarifies what constitutes heavy machinery and, therefore, which activities may be exempt from Sec. 5.10.
 - *Wetland Buffer* – existing “Buffer” definition allows for certain structures to be used in combination with landscaping to provide contiguous properties with a measure of privacy, which is not reflective of a wetland buffer.
 - *Wetland Delineation* – requires an applicant to provide an updated delineation if prepared more than five (5) years prior to the date of application and specifies who can provide a delineation.

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Wetland Mapping Tool – The Intent

- Field delineation of wetland boundaries will be the ultimate determinant of where wetland and wetland buffer boundaries are located.
- Mapping to go “live” with adoption of proposed amendments.
- Allows for both the Town and the applicant to know in advance which areas of the site are likely to have wetlands present and plan accordingly.

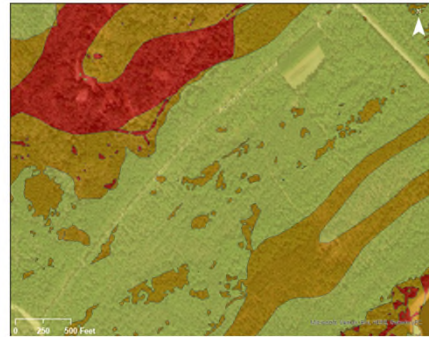
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Wetland Mapping Tool – The Approach

1. Conduct overlay analysis (“screening”) of several wetland indicators.
2. Combine this screening with field-verified wetland locations shown on approved plans.
3. Use scientific methodologies to determine how likely (low, medium, high) it is that a wetland is present in a particular location.

Wetland Potential
High
Medium
Low



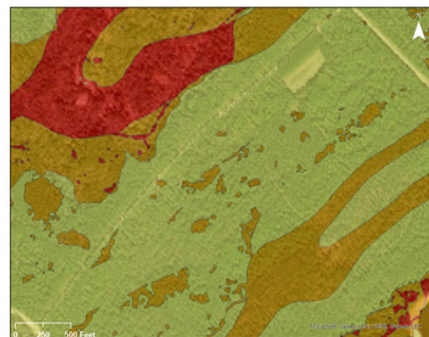
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Wetland Mapping Tool – The End Product



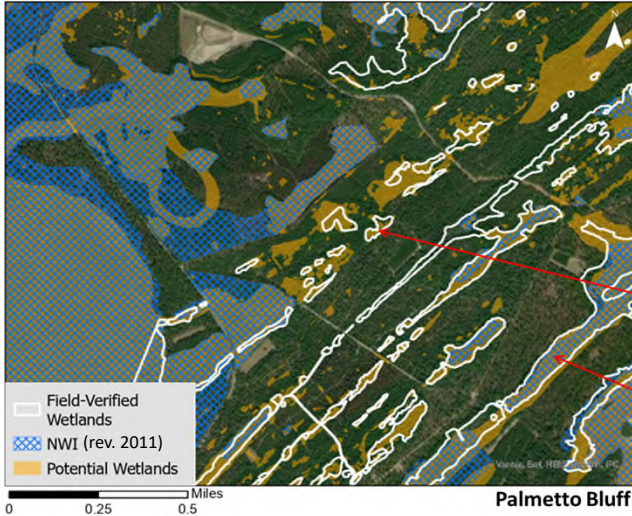
- An applicant of a proposed project site showing medium or high wetland potential will need to provide a wetland delineation as part of their development application and/or stormwater permit.
- Wetland Delineations will take precedence, unless there are major discrepancies.
- Mapping to be updated as needed by Town GIS staff.

Wetland Potential
High
Medium
Low



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Wetland Mapping Tool vs. NWI



Total Wetland Acres in the Town

Overlay Analysis	NWI
16,784	13,703

Total Wetland Acres on Undeveloped Parcels

Overlay Analysis	NWI
2,405	1,963

Overlay analysis captures smaller wetlands

NWI captures larger wetlands

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Next Steps



UDO Text Amendment Procedure	Tentative Dates	Complete
Step 1. Town Council - Workshop	January 27, 2026	✓
Step 2. Public Comment Period	February 2 – March 2, 2026	✓
Step 3. Consultant Review Period	March 9 – March 23, 2026	✓
Step 4. Planning Commission Workshop	April 22, 2026	✓
Step 5. Watershed Action Plan Advisory Committee Meeting	April 23, 2026	✓
Step 6. Planning Commission Public Hearing and Recommendation	May 27, 2026	✗
Step 7. Town Council – First Reading	June 9, 2026	✗
Step 8. Town Council Meeting – Final Reading and Public Hearing	July 14, 2026	✗

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Supporting Documents



Attachment 2. Proposed Ordinance

- Proposed ordinance to amend to the Town of Bluffton's Municipal Code of Ordinances, Chapter 23 – Unified Development Ordinance (UDO),
 - Article 5 – Design Standards, Sec. 5.10 (Stormwater); and
 - Article 9 – Definitions and Interpretation, Sec. 9.2 (Defined Terms).



QUESTIONS & DISCUSSION



Proposed Motion

“I move to recommend approval to Town Council of a Proposed Ordinance to amend to the Town of Bluffton’s Municipal Code of Ordinances, Chapter 23 – Unified Development Ordinance, Article 5 – Design Standards, Sec. 5.10 (Stormwater); and Article 9 – Definitions and Interpretation, Sec. 9.2 (Defined Terms), as presented.”